Public Prosecution Service of Canada

2015–16

Departmental Performance Report

The Honourable Jody Wilson-Raybould, P.C., Q.C., M.P.
Minister of Justice and Attorney General of Canada

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Message from the Director of Public Prosecutions

I am pleased to present the *2015-16 Departmental Performance Report* of the Public Prosecution Service of Canada (PPSC).

PPSC prosecutors, and other employees, continue to work hard to prosecute cases with diligence, in a manner that is fair, impartial and objective. The PPSC worked on a total of 72,538 files during the reporting period, including files dealing with offences under the *Controlled Drugs and Substances Act*, the *Criminal Code*, and a wide range of regulatory offences. With the introduction by the Supreme Court of Canada (in *R v. Jordan*)[i] of new time frames for completing prosecutions, the PPSC is focussing its efforts on ensuring that cases are prosecuted in a timely manner.

Throughout the year, the PPSC provided high-quality legal advice to Canadian investigative agencies. The PPSC also worked with the agencies to develop training programs for investigators to keep them up-to-date on current trends in the law and the ongoing evolution of investigative tools and techniques.

The PPSC worked in cooperation with provincial prosecution services to ensure that cases of shared jurisdiction were prosecuted efficiently. The PPSC played a leadership role in the Federal-Provincial-Territorial Heads of Prosecutions Committee, which allows prosecution services to cooperate and share best practices.

On the international scene, the PPSC worked on increasing collaboration on trans-boundary cases with United States Attorneys through the Border Operations Leadership Team.

The PPSC plays a key role in Canada's justice system to protect the rights of individuals, to uphold the rule of law and to work within the criminal justice system to help make Canada a safe and just society.

Brian Saunders, Q.C.
Director of Public Prosecutions

Message from the Commissioner of Canada Elections

I am pleased to present the *2015-16 Departmental Performance Report*, which summarizes the accomplishments of the Office of the Commissioner of Canada Elections (OCCE) for this fiscal year.

As Commissioner of Canada Elections, my mandate is to ensure compliance with, and enforcement of, the *Canada Elections Act*. The plans and priorities identified for 2015-16 reflected the reality of an impending federal election. Looking back, it is clear that the extensive review of our programs and initiatives conducted at the outset of 2015-16 contributed to our success in addressing the more than 1,000 complaints received throughout the election period. Furthermore, the careful assessment of the risks associated with managing this volume of complaints was fundamental in identifying the need for additional investment in resources, training and tools that were essential to fulfilling our important mandate.

One of the principal issues we noted this year – and in fact, over the last number of years – has been a marked increase in the number, complexity and duration of investigations carried out by the OCCE. To supplement the relatively small number of indeterminate positions within the Office, the *Canada Elections Act* allows me to appoint individuals on a temporary basis or to engage additional technical staff – including investigators – on contract in order to deliver on our mandate. These authorities, intended to fill short-term needs, are currently being used to ensure that permanent functions of the office are performed; without them we would simply not have the resources necessary to carry out our work. In my view, it is clear that there is a need to re-evaluate the number of indeterminate positions within the OCCE to reduce our reliance on outside or term resources and build a solid, permanent core of in-house expertise.

Although the election period has drawn to a close, in many ways, our work is just beginning. In addition to investigating issues that arose during the 42nd general election, we will receive referrals from Elections Canada on issues identified during the audit of candidates', third parties' and registered parties' election returns, and on a continued basis, from the audit of registered parties' and associations' annual return and leadership contestants' political financing transactions. I am very grateful to the members of the OCCE team whose work over the past year has helped to make 2015-16 a success and I look forward to working with them to build on that success in the future.

Yves Côté, Q.C.
Commissioner of Canada Elections

Results Highlights

What funds were used?

$ 172,124,586

Actual Spending

Who was involved?

972

Actual FTEs

Results Highlights

Public Prosecution Service of Canada

- The PPSC worked on 72,538 prosecution files in 2015-16, including files dealing with offences under the *Controlled Drugs and Substances Act*, the *Criminal Code*, and a wide range of regulatory offences.
- In addition, the PPSC continued to provide high-quality legal advice to law enforcement agencies and investigative bodies on general matters relating to prosecutions and on particular investigations that may lead to prosecutions.
- Work began on developing a new prosecution-specific case management system which will allow the PPSC to better track and manage prosecution files.
- After a review of potential models for fine recovery, the PPSC signed a contract with a private collection agency to recover outstanding federal fines.

Office of the Commissioner of Canada Elections

- Recruitment and training initiatives together with the implementation of case-management tools and information-sharing agreements were critical to the OCCE's success in 2015-16.
- As of March 31, 2015, the OCCE had received 1,310 complaints related to the 42nd federal general election. The campaign period began on August 4, 2015, and ran until election day, October 19, 2015.
- 800 complaints received during the election period were closed before election day.
- The OCCE provided comments on 12 draft guidelines and interpretation notes, issued by the Chief Electoral Officer, on wide-ranging topics.

Section I: Organizational Overview

Organizational Profile

Appropriate Minister: The Honourable Jody Wilson-Raybould

Institutional Head: Brian Saunders, Director of Public Prosecutions

Ministerial Portfolio: Justice

Enabling Instrument(s): *Director of Public Prosecutions Act*[ii], *Canada Elections Act*[iii]

Year of Incorporation / Commencement: 2006

Organizational Context

Raison d'être

The Office of the Director of Public Prosecutions (ODPP),[iv] created on December 12, 2006, with the coming into force of the *Director of Public Prosecutions Act*, is an independent prosecution service mandated to prosecute offences under federal jurisdiction. On October 1, 2014, by virtue of the adoption of an Order in Council providing for the coming into force of amendments to the *Canada Elections Act*, the OCCE was formally transferred from Elections Canada to the ODPP. The Commissioner and the Director exercise their statutory duties independently from each other even while operating within the same organization.

The Minister of Justice and Attorney General of Canada is responsible for this organization.

The first strategic outcome under the ODPP's Program Alignment Architecture is that criminal and regulatory offences under federal law are prosecuted in an independent, impartial and fair manner. The ODPP is responsible for:

- providing legal advice to federal investigative agencies and government departments on the criminal law implications of investigations and prosecutions;
- ensuring the appropriate enforcement of federal laws through principled and independent decisions by prosecutors; and
- maintaining confidence in the administration of justice through professionally conducted prosecutions that result in a judicial determination on the merits of the evidence.

The second strategic outcome is that compliance and enforcement activities under the *Canada Elections Act* and *Referendum Act* are conducted by the Commissioner of Canada Elections and his staff in a fair, impartial and independent manner. Activities related to this mandate include:

- the use of non-punitive and informal corrective measures in response to certain situations of non-compliance and of formal measures for others, such as the conclusion of compliance agreements with offenders, the seeking of injunctions during election periods, and the making of applications for the judicial deregistration of a registered party; and
- taking enforcement measures to respond to situations of non-compliance, including deciding which matters will be referred to the ODPP for possible prosecution and what charges will be recommended.

Responsibilities

Public Prosecution Service of Canada

The PPSC undertakes key duties on behalf of the Attorney General of Canada and all Canadians. These key duties, to be carried out in an objective and non-partisan manner, are:

- **The duty to act independently in making decisions related to criminal prosecutions** – This constitutional principle recognizes that decisions as to whether a prosecution should be initiated, continued or ceased, must be made solely in accordance with legal criteria related to whether there is evidence that indicates a reasonable prospect of conviction and an assessment of whether a prosecution best serves the public interest. Considerations of a partisan political nature are expressly excluded from the consideration of the public interest.
- **The duty to act independently in providing prosecution-related legal advice** – While prosecution-related advice to law enforcement and other federal investigative agencies will take into account an agency's legal and policy setting, prosecutors cannot be drawn into an agency's policy making and program administration such that their ability to provide impartial, accurate and effective legal advice is undermined.

Areas of Prosecution

The PPSC prosecutes cases under federal statutes that are referred to it by the Royal Canadian Mounted Police (RCMP), other federal investigative agencies, and provincial and municipal police forces.

It is responsible for the prosecution of all drug offences initiated on behalf of the government of Canada under the *Controlled Drugs and Substances Act*, regardless of whether a federal, provincial, or municipal police agency lays the charges, in all provinces except Quebec and New Brunswick.[v] In the latter two provinces, the PPSC is responsible for drug charges laid by the RCMP only.

In all provinces and territories, the PPSC prosecutes offences under federal statutes aimed at protecting the environment and natural resources as well as the country's economic and social health (e.g., *Fisheries Act*, *Income Tax Act*, *Copyright Act*, *Canada Elections Act*, *Canadian Environmental Protection Act, 1999*, *Competition Act*, *Customs Act*, *Excise Act*, *Excise Tax Act*), offences involving fraud against the government and capital market fraud offences, along with conspiracies and attempts to commit any of these offences. In total, the PPSC may be called upon to prosecute offences under 250 federal statutes. However, it routinely provides advice in relation to, and prosecutes offences under, approximately 40 of those statutes.

In the three territories, the PPSC prosecutes all *Criminal Code* offences as well as offences under all other federal legislation and, on behalf of the territorial governments of the Northwest Territories and Nunavut, certain territorial statutes. In the provinces, the PPSC has jurisdiction to prosecute certain *Criminal Code* offences, including those related to terrorism, criminal organizations, money laundering and proceeds of crime. Under arrangements with the provinces, the PPSC may prosecute *Criminal Code* offences that are otherwise within provincial jurisdiction when the accused also faces more serious charges within federal jurisdiction.

Performance information on each of these areas of prosecution is provided in Section III of this document.

The PPSC does not have authority to direct investigations. It responds to requests for prosecution-related advice from investigators. Such advice is crucial to ensuring that investigative techniques and procedures are consistent with evolving rules of evidence and with protections under the *Canadian Charter of Rights and Freedoms*. The advantage of early prosecutorial advice is that it reduces the risk that investigative decisions, such as those concerning methods of obtaining evidence, will detrimentally affect the constitutional rights of Canadians or the admissibility of evidence at trial.

Office of the Commissioner of Canada Elections

The OCCE plays an important role in safeguarding Canadians' trust in the democratic process. As an independent officer, the Commissioner of Canada Elections' dual roles of ensuring compliance with, and enforcement of, the *Canada Elections Act* and the federal *Referendum Act*, are carried out with the aim of promoting the integrity of the electoral process.

The Commissioner is responsible for the investigation of offences and for making recommendations to the Director of Public Prosecutions with respect to the laying of charges under the *Canada Elections Act* and the *Referendum Act*. The Commissioner exercises this mandate in accordance with these acts, other relevant statutory authorities and constitutional law, as well as applicable internal practices and policies.

Strategic Outcomes and Program Alignment Architecture

1. Strategic Outcome: Criminal and regulatory offences under federal law are prosecuted in an independent, impartial and fair manner

- **1.1 Program:** Drug, *Criminal Code*, and terrorism prosecution program
- **1.2 Program:** Regulatory offences and economic crime prosecution program

2. Strategic Outcome: Compliance and enforcement activities under the *Canada Elections Act* and *Referendum Act* are conducted by the Commissioner of Canada Elections in an independent, impartial and fair manner

- **2.1 Program:** Compliance
- **2.2 Program:** Enforcement

Internal Services

Operating Environment and Risk Analysis

Key Risks

Public Prosecution Service of Canada

Risk	Risk Response Strategy	Link to the Organization's Program(s)
Capacity within the PPSC to address legal issues may become insufficient.	• Senior Management monitored capacity levels of litigators and ensured that resources and workload of legal staff were efficiently aligned. • Targeted legal training was provided to prosecutors both to meet the requirements set by the provincial bar associations, and to promote professional development.	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program
Capacity challenges faced by the criminal justice system may limit the PPSC's ability to achieve its objectives.	• The PPSC reviewed initiatives from various fora across Canada and the Federal-Provincial-Territorial Heads of Prosecutions Committee for the purposes of identifying best practices. • The PPSC provided training to police and other investigative agencies.	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program
PPSC staff may be subject to threats or intimidation or PPSC premises may be subject to violence.	• The PPSC finalized the implementation of its Employee Protection Plan. • The PPSC provided training on security awareness and in other areas to ensure staff have the tools they need to safely conduct their work.	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program • Internal Services

The PPSC actively monitors its operating environment to identify and manage risks that could affect progress toward its strategic outcome and organizational priorities. Its approach to risk management reflects the organization's mandate as an independent federal prosecution service responsible for criminal and regulatory prosecutions.

The PPSC does not control the number or type of cases referred to it for prosecution by the police and investigative agencies that lay charges under federal statutes. Its workload is largely based on the agencies' decisions regarding investigative priorities, tactics and resource allocations. As a result, changes in and the allocation of enforcement resources affect the nature and volume of the PPSC's caseload. PPSC Senior Management monitors the capacity levels of litigators in order to ensure that the workload of legal staff is efficiently aligned.

The PPSC regularly reviews initiatives from various fora across Canada and the Federal-Provincial-Territorial Heads of Prosecutions Committee in order to identify best practices. In addition, the PPSC continues to work in collaboration with police services and law enforcement agencies to develop training programs in keeping with the demands arising from current trends in the law and the ongoing evolution of investigative tools and techniques.

Finally, due to the nature of their work, PPSC employees may be exposed to threats and intimidation. Consequently, the PPSC has implemented an Employee Protection Program to help prevent and respond to threats and incidents of intimidation against employees.

Office of the Commissioner of Canada Elections

Risk	Risk Response Strategy	Link to the Organization's Program(s)
Investigative capacity may become insufficient.	• Capacity levels of investigators were measured against the volume of complaints and resources were adjusted as required to ensure adequate coverage. • Prior to, and during, the election period, additional qualified investigators were retained and trained in order to meet increased demand.	• Compliance • Enforcement • Internal Services
Information sharing between Elections Canada, the Canadian Radio-television and Telecommunications Commission (CRTC) and the OCCE may be inefficient or untimely.	• Protocols were developed early on between the OCCE, CRTC and Elections Canada to ensure, in particular, that misdirected complaints were sent to the appropriate organization.	• Compliance • Enforcement • Internal Services

As the independent officer responsible for ensuring compliance and enforcement of the *Canada Elections Act*, the focus of the OCCE's risk management for 2015-16 necessarily centred around the 42nd federal general election. A review of organizational requirements, including those risk factors identified in the section above, allowed the OCCE to address the influx of complaints received during the election period. Additionally, the OCCE continues to make use of its *Compliance and Enforcement Policy* as a means of dealing with some of the risks associated with complex files.

Organizational Priorities

Public Prosecution Service of Canada

Excellence in Prosecution Management

Description

The volume and complexity of criminal prosecutions requires the continued management of available PPSC prosecutorial resources. The PPSC has focused on improving prosecution management practices, from the way files are assigned to how they are managed and tracked throughout the lifecycle of a prosecution. It has also focused on learning from best practices and recommendations developed by its partners and international and provincial counterparts.

Priority Type[1]

Previously committed to

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Status	Link to the Organization's Program(s)
• Review of case management system, including standardizing usage and best practices, and ensuring data security.	January 2016	April 2018	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program
• Comprehensive review and recommendations with respect to the management of prosecution files, and implementation of the management action plan of the internal audit on file compliance conducted in late 2014-15.	December 2015	March 2017	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program

1. Type is defined as follows: previously committed to—committed to in the first or second fiscal year prior to the subject year of the report; ongoing—committed to at least three fiscal years prior to the subject year of the report; and new—newly committed to in the reporting year of the Report on Plans and Priorities or the Departmental Performance Report.

• Review initiatives from various fora across Canada and the Federal-Provincial-Territorial Heads of Prosecutions Committee for the purposes of identifying best practices.	April 2014	Ongoing	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program
• Implement modern technologies for efficiency, mobility and interoperability with our partners (within the frameworks of the Government of Canada and PPSC IT directives and policies).	April 2014	Ongoing	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program
• Use of joint federal-provincial prosecution teams where applicable.	December 2006	Ongoing	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program
• Promote US/Canadian prosecutorial meetings to increase collaboration on trans-boundary cases.	April 2014	Ongoing	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program

Progress Toward the Priority
In 2015-16, the PPSC reviewed and implemented recommendations identified in internal audits of regional offices with respect to information systems and the assignment and management of prosecution files, including compliance with protocols for closing files and the capturing of key information in the iCase legal case management system. The organization also identified best practices throughout the year. Through participation in Federal-Provincial-Territorial Heads of Prosecutions Committee meetings and subcommittees, PPSC employees have shared knowledge and discussed matters of mutual interest with their provincial counterparts. The PPSC continued to work with US Attorneys to increase collaboration on trans-boundary cases under the umbrella of the Border Operations Leadership Team. It also played a key role in the Cross-Border Crime Forum and its working groups that analyse and discuss issues, such as cross-border undercover operations and information sharing. In addition, the PPSC was consulted in relation to the prosecution implications of the Canada-US Land Preclearance Agreement and has continued to assume an important role in providing training and legal advice with respect to the Canada-US Shiprider program. Given that iCase, the PPSC's case management system, is at the end of its lifespan and does not fully address the PPSC's business requirements, the PPSC is working to develop a customized, prosecution-specific case management system to meet the needs of the organization.

Employee Training and Development

Description

Providing staff with access to the learning and development tools and opportunities they need to improve their skills and further their professional development has contributed to staff's ability to effectively tackle the complex challenges of today's prosecutions and operational requirements.

Priority Type

Ongoing

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Status	Link to the Organization's Program(s)
• Establish networks for administrative staff for knowledge sharing to assist in identifying and addressing administrative needs and concerns.	April 2013	Ongoing	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program • Internal Services
• Finalize the implementation of a framework for enabling formal and informal employee learning and development in both the legal and non-legal employment streams.	April 2013	March 2017	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program • Internal Services
• Ongoing and targeted legal training and development, particularly with regard to the mandatory training required by law societies.	December 2006	Ongoing	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program
• Continue to use available user-friendly learning tools including Webinars, e-learning, practical on-the-job training to promote access to development and learning opportunities to a broader cross-section of employees.	April 2013	Ongoing	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program • Internal Services
• Ensure that managers and supervisors receive pertinent management training.	December 2006	Ongoing	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program • Internal Services

• Provide training on preventing harassment and discrimination in the workplace for managers and employees.	April 2014	Ongoing	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program • Internal Services

Progress Toward the Priority

A learning and development framework for PPSC employees was established in 2015-16. Targeted legal training was provided to prosecutors both to meet the requirements set by the provincial bar associations, and to promote professional development. Prosecutors received approximately 33,000 hours of training throughout the year. This included training provided at the School for Prosecutors and specialized conferences.

Ongoing on-the-job training and information sharing was also offered to PPSC employees by regional offices through lunch and learn sessions and discussion groups.

The PPSC delivered common, corporate training to administrative staff on finance, administrative services and human resources processes and issues in November 2015. The training provided an opportunity to strengthen networks between regions and with internal service providers at Headquarters (HQ).

Many PPSC supervisors and managers have taken part in the Canada School of Public Service (CSPS) training pilots, including the Supervisor Development Program, which provided them with the latest training on how to become effective leaders. PPSC employees have also enrolled in the CSPS Manager Development Program and Aspiring Directors Program. In addition to the training provided by the CSPS, managers and supervisors continued to have access to individual leadership development training through individual learning plans.

Furthermore, the Joint Learning Program has been used to provide training on "Creating a Harassment-Free Workplace," with many sessions held across the country. The PPSC has 15 qualified facilitators who have trained over 300 employees to date. The organization aims to deliver this training to all employees within the next few years.

Lastly, the PPSC continued its use of technology in providing training. A training conference in the Ontario Regional Office addressing legal knowledge, practice, and ethical and professional obligations was shared with prosecutors across the country by videoconference. All employees received online training on the prevention of violence in the workplace. The PPSC Official Languages Co-Champions also promoted the use of language e-training tools available through the CSPS.

Working Collaboratively with Investigative Agencies

Description

To be effective and efficient as a national prosecutor, the PPSC continued to strengthen its relationships with investigative agencies by ensuring effective communication at both the local and national levels. It will continue to work collaboratively to ensure consistency and completeness in the investigation files sent to the PPSC and in the legal advice provided by the PPSC.

Priority Type

Ongoing

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Status	Link to the Organization's Program(s)
• Efforts to broaden the use of the Report to Crown Counsel by police and investigative agencies, in order to ensure consistency and completeness in investigation files sent to the PPSC.	April 2012	Ongoing	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program
• Work in collaboration with investigative agencies to make pre-charge legal advice available to better support investigations.	December 2006	Ongoing	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program
• Work in collaboration with investigative agencies to develop training programs for investigators in keeping with the demands arising from current trends in the law and the ongoing evolution of investigative tools and techniques.	December 2006	Ongoing	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program

• Results from the 2014-15 survey of police services and investigative agencies will be used to identify possible strategies to further enhance PPSC services and working relationship with police and investigative agencies.	June 2014	March 2017	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program
• Continue to liaise with police and investigative agencies, both at the national and local levels and at the management and front-line levels, to discuss overall enforcement priorities and directions, upcoming investigations, project files, and any other matters of mutual interest.	December 2006	Ongoing	On track	• Drug, *Criminal Code*, and terrorism prosecution program • Regulatory offences and economic crime prosecution program

Progress Toward the Priority

The PPSC has taken steps to ensure ongoing communication and liaison with police and investigative agencies. For example, the PPSC attends the RCMP's national priority-setting exercises and has a seat on the RCMP's External Advisory Committee on the re-engineering of the force. Participation in these activities has facilitated the PPSC's ability to coordinate and prioritize the use of its resources according to stated investigative priorities and to better coordinate projects that span two or more regions.

Chief Federal Prosecutors maintained regular contacts with the heads or deputy heads of police forces, including the Criminal Operations Officers of the RCMP. Crown prosecutors, both at HQ and in the regions, also regularly met with their counterparts in investigative agencies to whom they most often provide prosecution services.

The PPSC currently has agreements with many police and investigative agencies which set out what the PPSC requires in terms of timing and content of disclosure, and approaches to the vetting of routine and sensitive information in disclosure packages. Moreover, it is working in collaboration with investigative agencies to develop training programs for investigators in keeping with the demands arising from current trends in the law and the ongoing evolution of investigative tools and techniques. In 2015-16, PPSC prosecutors provided approximately 10,000 hours of training to investigative agencies across the country.

In a follow-up to the 2008 survey of investigative agencies in both the provinces and territories, the PPSC distributed a questionnaire in the summer of 2014 to seek feedback on the PPSC's legal advice and prosecution-related activities from members of the police and federal regulatory agencies that initiate most of the cases that the PPSC prosecutes. An action plan to address the feedback received has been developed and is being implemented.

Office of the Commissioner of Canada Elections

Preparation for the 2015 General Election

Description

The OCCE is mandated to ensure compliance with, and enforcement of, the *Canada Elections Act*. The OCCE must be prepared to receive, assess and deal with numerous complaints. This may result in compliance measures being taken or in criminal investigations which could lead to recommendations that charges be laid. This is particularly important during and immediately following an electoral event.

Priority Type

New

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Status	Link to the Organization's Program(s)
• Invest in training for a pool of qualified bilingual investigators, existing investigators and other OCCE staff who assist the Commissioner in fulfilling his mandate.	August 2015	October 2015	Completed	• Compliance • Enforcement
• Formalize processes for sharing of information between Elections Canada and OCCE communications and public enquiries personnel.	October 2014	August 2015	Completed	• Compliance • Enforcement

Progress Toward the Priority
The initiatives in support of the October 19, 2015 general election were critical to the organization's success in delivering on its mandate. Leading up to the election period, the OCCE devoted significant effort to putting in place the right resources to address complaints in a timely fashion. Furthermore, information-sharing agreements between election oversight entities – OCCE, Elections Canada and the CRTC – were formalized, allowing for the seamless transfer of complaints during the election period.

Investigative Excellence

Description

This priority focusses on ensuring the ongoing effectiveness of the OCCE as an investigative body capable of operating within a dynamic and politically charged environment. Through ongoing modernization initiatives and improvements to the quality of investigative tools, the OCCE will ensure that investigations continue to be managed fairly, efficiently and objectively.

Priority Type

New

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Status	Link to the Organization's Program(s)
• Finalize the implementation of new case tracking software that will improve the tracking of complaints and referrals and will generate more robust statistical data, leading to more focussed allocation of resources.	2012	August 2015	Completed	• Compliance • Enforcement
• Continue to develop and implement tools to assist investigators with information gathering.	January 2013	Ongoing	On track	• Compliance • Enforcement
• Ongoing and targeted training and development for investigators and other OCCE staff, particularly with regards to investigative approaches and legislative changes.	September 2014	Ongoing	On track	• Compliance • Enforcement

Progress Toward the Priority
The OCCE is committed to ensuring its investigative team has the tools, training and resources required to maintain investigative excellence. Case tracking software has been upgraded. Although the implementation of the project is complete, other updates and upgrades to address investigative requirements continue to be made to the system.

Section II: Expenditure Overview

Actual Expenditures

Budgetary Financial Resources (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2015–16 Total Authorities Available for Use	2015–16 Actual Spending (authorities used)	Difference (actual minus planned)
170,718,195	179,058,723	189,058,581	172,124,586	(6,934,137)

Human Resources (Full-Time Equivalents [FTEs])

2015–16 Planned	2015–16 Actual	2015–16 Difference (actual minus planned)
980	972	(8)

Budgetary Performance Summary

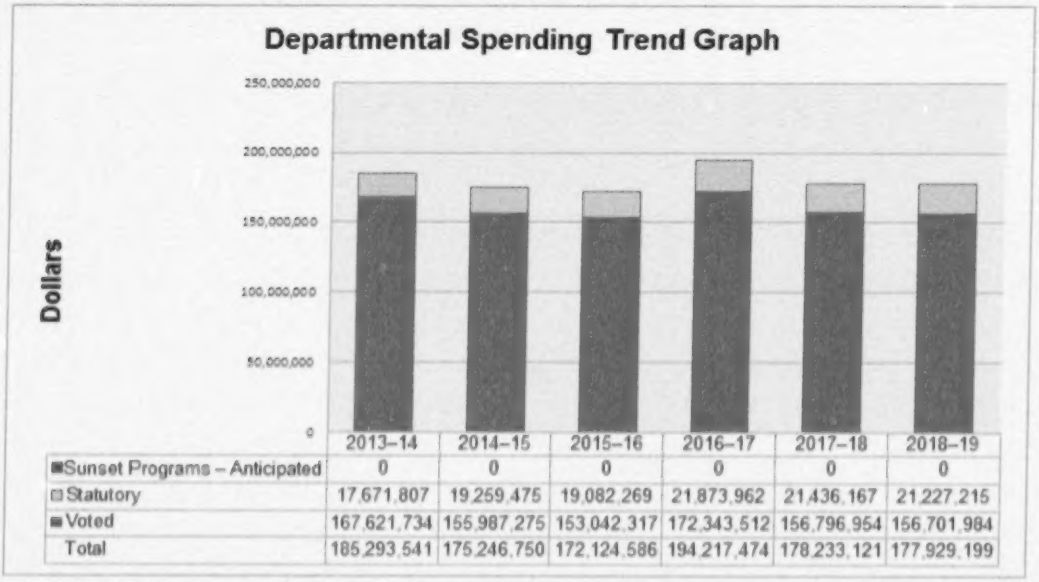
Budgetary Performance Summary for Programs and Internal Services (dollars)

Program(s) and Internal Services	2015–16 Main Estimates	2015–16 Planned Spending	2016–17 Planned Spending	2017–18 Planned Spending	2015–16 Total Authorities Available for Use	2015–16 Actual Spending (authorities used)	2014–15 Actual Spending (authorities used)	2013–14 Actual Spending (authorities used)
Drug, *Criminal Code*, and terrorism prosecution program	130,464,160	133,913,203	140,185,541	135,107,187	137,739,187	130,007,960	133,019,792	137,105,995
Regulatory offences and economic crime prosecution program	16,245,056	18,235,303	27,737,387	20,321,561	26,212,738	17,678,932	18,277,385	18,552,131
Compliance	2,457,484	2,509,743	2,290,133	2,027,457	3,317,994	3,179,910	2,778,230	0
Enforcement	1,638,323	1,673,161	1,526,755	1,351,636	1,001,105	913,731	470,170	0
Internal Services	19,913,172	22,727,313	22,477,658	19,425,280	20,787,557	20,344,053	20,701,173	29,635,415
Total	170,718,195	179,058,723	194,217,474	178,233,121	189,058,581	172,124,586	175,246,750	185,293,541

The variances between the fiscal years are described below:

- *2015-16 actual spending ($172.1 million) against 2015-16 planned spending ($179.1 million)*: the $7 million unused authorities are from an operating surplus due to delays in spending on new initiatives.
- *2015-16 authorities available ($189.1 million) against 2015-16 authorities used (actual spending – $172.1 million)*: the unused authorities of $17 million are from an operating surplus of $7 million and funds ineligible to spend (frozen allotments) of $10 million.
- *2015-16 actual spending ($172.1 million) against 2014-15 actual spending ($175.2 million)*: the decrease in expenditures of $3.1 million is due to the decrease in the transition payment for implementing salary payment in arrears which was paid in 2014-15.

Departmental Spending Trend



	2013–14	2014–15	2015–16	2016–17	2017–18	2018–19
Sunset Programs – Anticipated	0	0	0	0	0	0
Statutory	17,671,807	19,259,475	19,082,269	21,873,962	21,436,167	21,227,215
Voted	167,621,734	155,987,275	153,042,317	172,343,512	156,796,954	156,701,984
Total	185,293,541	175,246,750	172,124,586	194,217,474	178,233,121	177,929,199

The increase in voted spending in 2016-17 is due to additional funding received for the collection of outstanding federal fines.

Expenditures by Vote

For information on the PPSC's organizational voted and statutory expenditures, consult the *Public Accounts of Canada 2016*.[vi]

Alignment of Spending With the Whole-of-Government Framework

Alignment of 2015–16 Actual Spending With the Whole-of-Government Framework[vii] (dollars)

Program	Spending Area	Government of Canada Outcome	2015–16 Actual Spending
Drug, *Criminal Code*, and terrorism prosecution program	Social Affairs	A Safe and Secure Canada	130,007,960
Regulatory offences and economic crime prosecution program	Social Affairs	A Safe and Secure Canada	17,678,932
Compliance	Government Affairs	Strong and Independent Democratic Institutions	3,179,910
Enforcement	Government Affairs	Strong and Independent Democratic Institutions	913,731

Total Spending by Spending Area (dollars)

Spending Area	Total Planned Spending	Total Actual Spending
Economic affairs	0	0
Social affairs	152,148,506	147,686,892
International affairs	0	0
Government affairs	4,182,904	4,093,641

Financial Statements and Financial Statements Highlights

Financial Statements

The PPSC's financial statements can be found on its website under Publications.[viii]

Financial Statements Highlights

Condensed Statement of Operations (unaudited)
For the Year Ended March 31, 2016 (dollars)

Financial Information	2015–16 Planned Results	2015–16 Actual	2014–15 Actual	Difference (2015–16 actual minus 2015–16 planned)	Difference (2015–16 actual minus 2014–15 actual)
Total expenses	219,191,000	214,732,590	213,720,047	(4,458,410)	1,012,543
Total revenues	22,742,000	20,323,528	21,431,346	(2,418,472)	(1,107,818)
Net cost of operations before government funding and transfers	196,449,000	194,409,062	192,288,701	(2,039,938)	2,120,361

Note: Revenues do not include the revenue from the collection of fines, forfeitures and court costs which is non-respendable revenue.

Expenses by type

The total expenses in 2015-16 ($214.7 million) have increased by $1 million (or 0.5%) compared with the expenses in 2014-15 ($213.7 million). The variance is due to an allowance for contingent liabilities recorded in 2015-16.

During 2015-16, the PPSC had the following major categories of expenses:

- Salary expenses: $131.1 million (or 61% of expenses);
- Professional services – counsel fees: $42.6 million (or 20% of expenses);
- Accommodation: $15.1 million (or 7% of expenses); and
- Other operating expenses: $25.9 million (or 12% of expenses).

Revenue by type

The total revenues earned in 2015-16 ($20.3 million) decreased by $1.1 million (or 6%) compared with the revenues in 2014-15 ($21.4 million). During 2015-16, the PPSC had the following revenue categories:

- Respendable revenue from the provision of advisory and prosecution services to Other Government Departments and Agencies (OGDs): $20.3 million (or 94% of revenue);
- Non-respendable revenue from the collection of fines, forfeitures and court costs: $0.8 million (or 4% of revenue);
- Rent from residential housing provided to employees: $0.5 million (or 2% of revenue).

Condensed Statement of Financial Position (unaudited) As at March 31, 2016 (dollars)

Financial Information	2015–16	2014–15	Difference (2015–16 minus 2014–15)
Total net liabilities	40,101,845	38,103,996	1,997,849
Total net financial assets	27,002,709	25,406,713	1,595,996
Departmental net debt	13,099,136	12,697,283	401,853
Total non-financial assets	10,821,633	13,097,504	(2,275,871)
Departmental net financial position	(2,277,503)	400,221	(2,677,724)

Assets by type

Financial assets include amounts due from the consolidated revenue fund (CRF), accounts receivable and advances, and tangible capital assets:

- Amounts due from the CRF is the aggregate of all public money on deposit to the credit of the Receiver General for Canada, who is responsible for safeguarding the integrity of the CRF and issuing all payments out of the CRF for departments and agencies. The amount due from the CRF is the net amount between accounts payables remaining at the end of the year and accounts receivable from OGDs, and it represents $23 million (or 61% of assets).

- The accounts receivable amount of $4 million (or 10% of assets) largely represents expenses to be recovered from OGDs for the provision of advisory and prosecution services.
- Tangible capital assets total $10.8 million (or 29% of assets) and largely fall in the categories of furniture, furnishings and leasehold improvements.

Liabilities by type

Liabilities include accounts payable and accrued liabilities, vacation pay and compensatory leave, and employee future benefits:

- Accounts payable and accrued liabilities represent accounts payable at year end in the amount of $28 million (or 70% of liabilities).
- Employee future benefits represent the accumulated obligations of the PPSC at the end of the year and amount to $7.5 million (or 19% of liabilities).
- Vacation pay and compensatory leave represent employees' accumulated vacation and compensatory leave and total $4.6 million (or 11% of liabilities).

Section III: Analysis of Programs and Internal Services

Public Prosecution Service of Canada

Performance Results

Performance Indicators	Targets	Actual Results
Number and nature of judicial stays for abuse of process based on the conduct of a federal prosecutor.	Zero	Zero
Number and nature of successful malicious prosecution lawsuits.	Zero	Zero
Number and nature of substantiated complaints regarding the PPSC's independence, impartiality or fairness.	Zero	Zero

The judicial stays for abuse of process targeted here involve a disposition where the court does not allow a prosecution to proceed because of objectionable prosecutorial conduct.

Plaintiffs suing Crown prosecutors for malicious prosecution must prove, among other matters, that the prosecution was undertaken without reasonable and probable cause, and was motivated by malice or a primary purpose other than that of carrying the law into effect.

Complaints regarding the PPSC's independence, impartiality or fairness may be made to the courts or to the PPSC under its Complaints Policy. The *PPSC Complaints Policy* came into effect in October 2012, and is available on the PPSC's website.[ix]

Programs

Prosecutors are expected to discharge their duties with fairness, objectivity and integrity. Their role is not to win convictions at any cost but to put before the court all available, relevant and admissible evidence necessary to enable the court to determine the guilt or innocence of the accused. Hence, the performance indicators and results for both the Drug, *Criminal Code* and terrorism prosecution program and the Regulatory offences and economic crime prosecution program are based on the extent to which prosecutions result in a determination on the merits of the evidence.

The PPSC considers that a case is decided on its merits when:

- a judge or jury determines the guilt or innocence of an accused person after a trial;
- a judge determines after a guilty plea that a conviction or discharge is appropriate; or

- a Crown prosecutor stays or withdraws a charge as a result of an assessment that the case does not meet the test for prosecution.

Cases not decided on the merits are those that are stayed by the Court, and for which, as a result, there is no outcome decided by a judge or jury based on the evidence of guilt or innocence. A judicially imposed stay will generally mean permanent suspension of the proceedings.

Drug, *Criminal Code*, and terrorism prosecution program

Description

This program supports the protection of Canadian society against crime through the provision of legal advice and litigation support during police investigations, and the prosecution of: all drug offences under the *Controlled Drugs and Substances Act* (CDSA) and any related organized crime offences throughout Canada, except in Quebec and New Brunswick, where the PPSC prosecutes such offences only where charges are laid by the RCMP; proceeds of crime offences; pursuant to understandings with the provinces, *Criminal Code* offences where they are related to drug charges; all *Criminal Code* offences in the three territories; terrorism offences; and war crimes and crimes against humanity offences. This program activity also involves the promotion of federal-provincial-territorial cooperation on criminal justice issues of mutual concern.

Program Performance Analysis and Lessons Learned

Drug prosecution files continued to represent the most significant portion of the PPSC's total caseload. In 2015-16, the PPSC handled 56,704 prosecution files related to offences under the CDSA. The complexity, scope and resource demands of these prosecutions varied greatly, ranging from simple cases of possession of small quantities of marihuana to complex schemes to import large quantities of cocaine or to manufacture methamphetamine for domestic use or for export.

Offences involving drugs are often revenue-generating crimes, and these types of cases represented the majority of offences prosecuted by the PPSC that led to the forfeiture of proceeds of crime and of the property used to commit the crime ("offence-related property"). In 2015-16, the PPSC handled 14,174 CDSA files involving either proceeds of crime or offence-related property. The proceeds or property at issue ranged from money used to buy drugs from an undercover officer to real estate bought with proceeds of crime or used to produce drugs.

Trafficking in drugs is one of the main activities of organized criminal groups. Cases involving criminal organizations have remained high in recent years, largely as a result of the continuing priority given by police forces to the investigation of such organizations. Many drug prosecutions conducted by the PPSC in 2015-16 involved an organized crime element, whether

or not explicit criminal organization charges were laid. As well, PPSC prosecutors provided advisory assistance to police in respect to a number of significant organized crime investigations.

Project Roadmaster was a three-year Niagara-based joint-forces investigation into the large-scale importation of cocaine into Canada and the laundering of the proceeds of that crime. The multi-jurisdictional investigation concluded in September of 2014 with the laying of charges against 14 individuals, including possession of cocaine for the purpose of trafficking and money laundering. Five accused have pleaded guilty and jail sentences ranging from seven months to nine years' incarceration were imposed. Seven accused will face trial commencing in November 2016.

The PPSC also prosecuted terrorism-related offences under the *Criminal Code* this past fiscal year. In September 2015, a 15-year-old youth was tried in the Court of Quebec, Youth Division, and was found guilty of attempting to leave Canada to participate in the activities of a terrorist group, contrary to s. 83.181 of the *Criminal Code*. This was the first conviction in Canada for an offence under s. 83.181. On April 6, 2016, the youth, now 16, was sentenced to a two-year custody and supervision order plus 12 months of probation. In addition, two individuals convicted in 2014-15 of attempting to derail a Via Rail train were sentenced to life in prison. The case against individuals accused of plotting to bomb the provincial legislature in British Colombia was still before the courts as of March 31, 2016.

In the North, the PPSC prosecutes all *Criminal Code* offences as well as offences under other federal legislation. The territories have among the highest rates of violent crime in the country, particularly as it relates to sexual abuse (including historical sex abuse cases) and domestic violence. There is also a high rate of homicides. In 2015-16, the PPSC had a total of 28 active homicide prosecutions before the courts, seven of which were concluded this past fiscal year. All others are still before the courts at various stages of proceeding. These cases include manslaughter, first and second degree murder charges and impaired driving causing death cases.

The high rate of violent crime involving offenders with significant rates of recidivism has led to the implementation of coordinated high-risk offender flagging processes in the North. In 2015-16, two successful dangerous offender applications were completed in the Yukon.

As in previous years, the PPSC worked closely with provincial and territorial prosecution authorities on issues and challenges of common interest. As part of this work, the Director of Public Prosecutions (DPP) continued to co-chair the Federal-Provincial-Territorial Heads of Prosecutions Committee. The Committee held two meetings in 2015. The first was held in Gatineau in April, and the second, which was organized jointly with the Criminal Justice Branch of British Columbia, was held in Vancouver in October and featured the National Prosecution Awards Ceremony.

The PPSC also participated in the Twentieth Annual Conference and General Meeting of the International Association of Prosecutors, where the DPP chaired a special interest group meeting of heads of prosecution services and attended a meeting of the Executive Committee.

Additional information on performance under this program, including outreach activities, can be found in the *PPSC Annual Report 2015-2016.*[x]

Budgetary Financial Resources (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2015–16 Total Authorities Available for Use	2015–16 Actual Spending (authorities used)	2015–16 Difference (actual minus planned)
130,464,160	133,913,203	137,739,187	130,007,960	(3,905,243)

Human Resources (Full-Time Equivalents [FTEs])

2015–16 Planned	2015–16 Actual	2015–16 Difference (actual minus planned)
679	687	8

Performance Results

<table>
<tr><th>Expected Results</th><th>Performance Indicators</th><th>Targets</th><th>Actual Results</th></tr>
<tr><td>Litigation files that are prosecuted are decided on merit</td><td>Percentage of all litigation files that are decided on merit (i.e., by most serious outcome of guilty plea, guilty plea (other / lesser offence), conviction, conviction (other / lesser offence), withdrawal, stay of proceedings (Crown), discharge, acquittal)</td><td>N/A</td><td>
<table>
<tr><th>Decisions</th><th># of Accused per File</th><th>%</th></tr>
<tr><td>Guilty Plea</td><td>16,151</td><td>53.45%</td></tr>
<tr><td>Guilty Plea (Other/Lesser Off.)</td><td>1,080</td><td>3.58%</td></tr>
<tr><td>Conviction</td><td>910</td><td>3.01%</td></tr>
<tr><td>Conviction (Other/Lesser Off.)</td><td>90</td><td>0.30%</td></tr>
<tr><td>Withdrawal of Charge</td><td>7,587</td><td>25.11%</td></tr>
<tr><td>Stay of Proceedings (Crown)</td><td>3,442</td><td>11.39%</td></tr>
<tr><td>Discharge</td><td>373</td><td>1.24%</td></tr>
<tr><td>Acquittal</td><td>563</td><td>1.86%</td></tr>
<tr><td>Subtotal</td><td>30,196</td><td>99.94%</td></tr>
</table>
</td></tr>
<tr><td></td><td>Percentage of litigation files not decided on merit: judicial stays of proceedings</td><td>N/A</td><td>
<table>
<tr><td>Judicial Stay of Proceedings</td><td>19</td><td>0.06%</td></tr>
<tr><td>Subtotal</td><td>19</td><td>0.06%</td></tr>
<tr><td>Total</td><td>30,215</td><td>100.00%</td></tr>
</table>
</td></tr>
</table>

Note: The performance information presented above is based on information extracted from the PPSC's internal database. The figures are extracted from a live system and may be subject to revision from time to time, based on changes made to the data for any particular reporting period. The results above are based on the most serious outcome per accused within each active file during fiscal year 2015-16.

Regulatory offences and economic crime prosecution program

Description

This program supports the protection of Canadian society against crime through the provision of legal advice and litigation support to federal investigative agencies, and the prosecution of: offences under federal statutes aimed at protecting the environment and natural resources as well as the country's economic and social health (e.g., *Fisheries Act*, *Income Tax Act*, *Copyright Act*, *Canada Elections Act*, *Canadian Environmental Protection Act, 1999*, *Competition Act*, *Customs Act*, *Excise Act*, and the *Excise Tax Act*); offences involving fraud against the government; capital market fraud offences; and any organized crime offences related to the foregoing offences. This program also includes the recovery of outstanding federal fines and the promotion of federal-provincial-territorial cooperation on criminal justice issues of mutual concern.

Program Performance Analysis and Lessons Learned

In 2015-16, the PPSC handled 6,019 files involving regulatory and economic offences. With respect to offences under the *Corruption of Foreign Officials Act*, the PPSC is currently prosecuting four individuals for allegedly having bribed officials in Bangladesh in order to secure a contract for SNC-Lavalin. SNC-Lavalin has also been charged in relation to the alleged payment of bribes to secure an advantage for the company in relation to major construction projects in Libya. Two individuals are also charged in relation to the matter. Each of these prosecutions is in its early stages.

The PPSC also handled 58 files dealing with competition law during the fiscal year and concluded 407 prosecutions for offences under statutes administered by the Canada Revenue Agency, most notably the *Income Tax Act*.

In addition, two important trials stemming from Integrated Market Enforcement Team (IMET) investigations took place. In the "Carrefour" file, the Montreal IMET laid charges following a lengthy investigation into the use of stock market transactions to illegally withdraw money from retirement pension funds. In the course of the trial, the three co-accused plead guilty to fraudulent manipulation of the stock market. In Halifax, the prosecution of three individuals accused of fraud affecting the public market, and conspiracy to commit fraud affecting the public market in connection with the trading of stock in Knowledge House Inc. continued. During the course of the trial, one accused plead guilty to conspiracy and fraud and received a three year jail term.

Furthermore, the PPSC prosecuted two major cases under the *Canada Elections Act*. One individual plead guilty to one count of having failed to return ineligible contributions, and to one

count of having submitted a false or misleading return. The court imposed a fine of $500 for the ineligible contributions and a fine of $1,000 for providing a false or misleading document. The other matter which concerns a Mississauga business owner charged with concealing the identity of the source of a contribution and circumventing the campaign contribution limit for individual donors was still before the courts as of March 31, 2016.

Lastly, the PPSC has developed a new model for fine recovery, after a significant consultative process examining a wide range of options. On March 1, 2016, a contract was signed with Partners in Credit Inc., a private collection agency, for the collection of outstanding court-ordered federal fines.

Additional information on performance under this program, including outreach activities, can be found in the *PPSC Annual Report 2015-2016.*[xi]

Budgetary Financial Resources (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2015–16 Total Authorities Available for Use	2015–16 Actual Spending (authorities used)	2015–16 Difference (actual minus planned)
16,245,056	18,235,303	26,212,738	17,678,932	(556,371)

Human Resources (FTEs)

2015–16 Planned	2015–16 Actual	2015–16 Difference (actual minus planned)
160	153	(7)

Performance Results

<table>
<tr><th>Expected Results</th><th>Performance Indicators</th><th>Targets</th><th>Actual Results</th></tr>
<tr><td>Litigation files that are prosecuted are decided on merit</td><td>Percentage of all litigation files that are decided on merit (i.e., by most serious outcome of guilty plea, guilty plea (other / lesser offence), conviction, conviction (other / lesser offence), withdrawal, stay of proceedings (Crown), discharge, acquittal)</td><td>N/A</td><td>
<table>
<tr><th>Decisions</th><th># of Accused per File</th><th>%</th></tr>
<tr><td>Guilty Plea</td><td>1,782</td><td>69.36%</td></tr>
<tr><td>Guilty Plea (Other/Lesser Off.)</td><td>8</td><td>0.31%</td></tr>
<tr><td>Conviction</td><td>259</td><td>10.08%</td></tr>
<tr><td>Conviction (Other/Lesser Off.)</td><td>0</td><td>0.00%</td></tr>
<tr><td>Withdrawal of Charge</td><td>244</td><td>9.50%</td></tr>
<tr><td>Stay of Proceedings (Crown)</td><td>185</td><td>7.20%</td></tr>
<tr><td>Discharge</td><td>11</td><td>0.43%</td></tr>
<tr><td>Acquittal</td><td>79</td><td>3.08%</td></tr>
<tr><td>Subtotal</td><td>2,568</td><td>99.96%</td></tr>
</table>
</td></tr>
<tr><td></td><td>Percentage of litigation files not decided on merit: judicial stays of proceedings</td><td>N/A</td><td>
<table>
<tr><td>Judicial Stay of Proceedings</td><td>1</td><td>0.04%</td></tr>
<tr><td>Subtotal</td><td>1</td><td>0.04%</td></tr>
<tr><td>Total</td><td>2,569</td><td>100%</td></tr>
</table>
</td></tr>
</table>

Note: The performance information presented above is based on information extracted from the PPSC's internal database. The figures are extracted from a live system and may be subject to revision from time to time, based on changes made to the data for any particular reporting period. The results above are based on the most serious outcome per accused within each active file during fiscal year 2015-16.

Office of the Commissioner of Canada Elections

Compliance

Description

This program supports the integrity of Canada's electoral process by enabling the Commissioner of Canada Elections to ensure compliance with the *Canada Elections Act* and the *Referendum Act*. This includes the use of non-punitive and informal corrective measures in response to certain situations of non-compliance and the conclusion of compliance agreements with offenders.

Program Performance Analysis and Lessons Learned

The OCCE's *Compliance and Enforcement Policy* clearly articulates the factors considered by the Commissioner in determining the appropriate means of resolving a complaint. Although these parameters are well-established, since every matter is assessed on a case basis, it is not possible to establish formal targets for this program area.

Additional information on performance under this program, including outreach activities, can be found in the *PPSC Annual Report 2015-2016*.[xii]

Budgetary Financial Resources (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2015–16 Total Authorities Available for Use	2015–16 Actual Spending (authorities used)	2015–16 Difference (actual minus planned)
2,457,484	2,509,743	3,317,994	3,179,910	670,167

Human Resources (FTEs)

2015–16 Planned	2015–16 Actual	2015–16 Difference (actual minus planned)
13	12	(1)

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Political entities[xiii] understand and comply with their obligations under the *Canada Elections Act*.	Number of complaints that result in administrative measures (i.e., caution letters, information letters).	N/A	The OCCE issued 144 caution letters and entered into 17 compliance agreements in 2015-16.

Enforcement

Description

This program supports the integrity of Canada's electoral process by enabling the Commissioner of Canada Elections to act in an independent manner in conducting investigations under the *Canada Elections Act* and the *Referendum Act*, and taking enforcement measures to respond to situations of non-compliance. This also includes deciding which matters will be referred to the Director of Public Prosecutions for possible prosecution and what charges will be recommended.

Program Performance Analysis and Lessons Learned

No targets were established for this program. The *Canada Elections Act* places strict limitations on disclosure of the details of the OCCE's investigative work. Additionally, as every matter is assessed on a case by case basis to determine whether its resolution requires the use of enforcement measures, no targets can reasonably be established.

Additional information on performance under this program, including outreach activities, can be found in the *PPSC Annual Report 2015-2016*.[xiv]

Budgetary Financial Resources (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2015–16 Total Authorities Available for Use	2015–16 Actual Spending (authorities used)	2015–16 Difference (actual minus planned)
1,638,323	1,673,161	1,001,105	913,731	(759,430)

Human Resources (FTEs)

2015–16 Planned	2015–16 Actual	2015–16 Difference (actual minus planned)
9	8	(1)

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Instances of material non-compliance are addressed.	Number of complaints that result in formal enforcement measures.	N/A	Charges were laid against one individual in 2015-16.

Internal Services[xv]

Description

Internal services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. Internal services include only those activities and resources that apply across an organization, and not those provided to a specific program. The groups of activities are Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; and Acquisition Services.

Program Performance Analysis and Lessons Learned

Some internal services divisions had significant milestones or launched major initiatives in 2015-16.

The Administrative Services Division launched the PPSC Hazard Prevention Program to reduce the risk of work-related injuries and illnesses, and provided online training to all employees on the prevention of violence in the workplace. As well, it has implemented the new Treasury Board *Standard on Security Screening* and continued to implement Workplace 2.0 in the planning and design of offices scheduled for relocation across the country.

The Information Technology unit implemented sustainable workplace operations measures in support of the Government of Canada's *Policy on Green Procurement*. These measures included increasing the ratio of employees to printing units and lowering the ratio of information technology assets to employees.

Blueprint 2020 and the priorities of the Clerk of the Privy Council continued to drive the implementation of key human resources management changes. The human resources planning exercise continued to evolve with new efficiencies and improvements. The exercise provided a coherent human resources management framework for management decision making and accountability at the lowest possible level.

In preparation for the New Direction in Staffing initiatives introduced by the Public Service Commission of Canada on April 1, 2016, the PPSC adopted staffing programs that provided delegated managers the greatest flexibility permitted by the *Public Service Employment Act* while holding them accountable for the decisions they make.

Additional information on performance under this program, including outreach activities, can be found in the *PPSC Annual Report 2015-2016.*[xvi]

Budgetary Financial Resources (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2015–16 Total Authorities Available for Use	2015–16 Actual Spending (authorities used)	2015–16 Difference (actual minus planned)
19,913,172	22,727,313	20,787,557	20,344,053	(2,383,260)

Human Resources (FTEs)

2015–16 Planned	2015–16 Actual	2015–16 Difference (actual minus planned)
119	112	(7)

Section IV: Supplementary Information

Supplementary Information Tables

The following supplementary information tables are available on the PPSC's website.[xvii]

- Departmental Sustainable Development Strategy
- Internal Audits and Evaluations
- User Fees, Regulatory Charges and External Fees

Federal Tax Expenditures

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures annually in the Report of Federal Tax Expenditures.[xviii] This report also provides detailed background information on tax expenditures, including descriptions, objectives, historical information and references to related federal spending programs. The tax measures presented in this report are the responsibility of the Minister of Finance.

Organizational Contact Information

Public Prosecution Service of Canada
160 Elgin Street, 12th Floor
Ottawa, Ontario K1A 0H8
613-957-7772
1-877-505-7772
info@ppsc.gc.ca

Office of the Commissioner of Canada Elections
22 Eddy Street
Gatineau, Quebec K1A 0M6
1-855-759-6740
info@cef-cce.gc.ca

Appendix: Definitions

appropriation (*crédit*): Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures (*dépenses budgétaires*): Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

Departmental Performance Report (*rapport ministériel sur le rendement*): Reports on an appropriated organization's actual accomplishments against the plans, priorities and expected results set out in the corresponding Reports on Plans and Priorities. These reports are tabled in Parliament in the fall.

full-time equivalent (*équivalent temps plein*): A measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

Government of Canada outcomes (*résultats du gouvernement du Canada*): A set of 16 high-level objectives defined for the government as a whole, grouped in four spending areas: economic affairs, social affairs, international affairs and government affairs.

Management, Resources and Results Structure (*Structure de la gestion, des ressources et des résultats*): A comprehensive framework that consists of an organization's inventory of programs, resources, results, performance indicators and governance information. Programs and results are depicted in their hierarchical relationship to each other and to the Strategic Outcome(s) to which they contribute. The Management, Resources and Results Structure is developed from the Program Alignment Architecture.

non-budgetary expenditures (*dépenses non budgétaires*): Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance (*rendement*): What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

performance indicator (*indicateur de rendement*): A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

performance reporting (*production de rapports sur le rendement*): The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

planned spending (*dépenses prévues*): For Reports on Plans and Priorities (RPPs) and Departmental Performance Reports (DPRs), planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their RPPs and DPRs.

plans (*plan*): The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

priorities (*priorité*): Plans or projects that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s).

program (*programme*): A group of related resource inputs and activities that are managed to meet specific needs and to achieve intended results and that are treated as a budgetary unit.

Program Alignment Architecture (*architecture d'alignement des programmes*): A structured inventory of an organization's programs depicting the hierarchical relationship between programs and the Strategic Outcome(s) to which they contribute.

Report on Plans and Priorities (*rapport sur les plans et les priorités*): Provides information on the plans and expected performance of appropriated organizations over a three-year period. These reports are tabled in Parliament each spring.

results (*résultat*): An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

statutory expenditures (*dépenses législatives*): Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

Strategic Outcome (*résultat stratégique*): A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

sunset program (*programme temporisé*): A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

target (*cible*): A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

voted expenditures (*dépenses votées*): Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

Whole-of-government framework (*cadre pangouvernemental*): Maps the financial contributions of federal organizations receiving appropriations by aligning their Programs to a set of 16 government-wide, high-level outcome areas, grouped under four spending areas.

Endnotes

i. 2016 SCC 27

ii. *Director of Public Prosecutions Act*, http://laws-lois.justice.gc.ca/eng/acts/d-2.5/page-1.html

iii. *Canada Elections Act*, http://laws.justice.gc.ca/eng/acts/e-2.01/index.html

iv. Office of the Director of Public Prosecutions (ODPP) is the PPSC's legal title, whereas Public Prosecution Service of Canada (PPSC) is its applied title.

v. In New Brunswick, the RCMP acts as the provincial police and also provides police services to some municipalities.

vi. *Public Accounts of Canada 2016*, http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html

vii. Whole-of-Government Framework, http://www.tbs-sct.gc.ca/hgw-cgf/finances/rgs-erdg/wgf-ipp-eng.asp

viii. PPSC Financial Statements, http://www.ppsc-sppc.gc.ca/eng/pub/index.html

ix. PPSC Complaints Policy, http://www.ppsc-sppc.gc.ca/eng/cmp-pln/index.html

x. *PPSC Annual Report 2015-2016*, http://www.ppsc.gc.ca/eng/pub/index.html

xi. *PPSC Annual Report 2015-2016*, http://www.ppsc.gc.ca/eng/pub/index.html

xii. *PPSC Annual Report 2015-2016*, http://www.ppsc.gc.ca/eng/pub/index.html

xiii. Political entities include: registered parties, registered associations, candidates, nomination contestants, and leadership contestants.

xiv. *PPSC Annual Report 2015-2016*, http://www.ppsc.gc.ca/eng/pub/index.html

xv. The OCCE makes use of some internal services offered by the PPSC. The Commissioner of Canada Elections serves as deputy head for human resources and is served by his own communications and legal services group.

xvi. *PPSC Annual Report 2015-2016*, http://www.ppsc.gc.ca/eng/pub/index.html

xvii. Supplementary Information Tables, http://www.ppsc-sppc.gc.ca/eng/pub/index.html

xviii. Report of Federal Tax Expenditures, http://www.fin.gc.ca/purl/taxexp-eng.asp